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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

RACHEL ANDREW,

3:14-cv-00671-HU

PLAINTIFF,

v.

DECLARATION OF DENIS VANNIER

**CITY OF PORTLAND; MICHAEL
REESE; CHRISTOPHER DAVIS; by and
through the Portland Police Bureau and the
City of Portland, a political subdivision of
the State of Oregon,**

DEFENDANTS.

I, Denis M. Vannier, Deputy City Attorney representing defendants City of Portland, Michael Reese, and Christopher Davis in the above-entitled matter, declare as follows:

1. Attached to this declaration as Exhibit 1 is a redacted true and correct copy of Lieutenant Chris Davis' January 9, 2012 confidential memorandum to Director Mike Kuykendall regarding his recommended findings.

2. Attached to this declaration as Exhibit 2 is a redacted true and correct copy of Director Mike Kuykendall's February 10, 2012, confidential memorandum to Lieutenant Rachel

Andrew providing her with formal notice of the allegations and recommended findings going before the Police Review Board.

3. Due to the confidential nature of the above documents, the discussion and analysis regarding the allegations and recommended findings against plaintiff have been heavily redacted for public filing with the court. ORS 181.854(3) and ORS 192.501(12) generally prohibit the disclosure of information regarding a personnel investigation of a public safety employees, regardless of whether or not it resulted in discipline.

4. To enable unredacted documents to be filed with this court, the parties have agreed to a proposed Stipulated Protective Order, which has been signed by both parties and is being submitted to this court for review.

5. If this court accepts and enters that Stipulated Protective Order, defendants will then produce the redacted documents in their entirety, and will do so under seal if this court deems necessary.

6. I make this declaration in support of defendants' Motion for Partial Summary Judgment.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.

/s/ Denis M. Vannier

Denis M. Vannier